



1632

Docket No.: PBLI-P01-010  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Sidney Pestka

Application No.: 10/040,267

Group Art Unit: 1632

Filed: December 31, 2002

Examiner: Not Yet Assigned

For: CONTROLLED RELEASE SYSTEMS FOR  
POLYMERS

January 16, 2003

#5  
19.5  
2/13/03

**RECEIVED**

JAN 23 2003

TECH CENTER 1600/2900

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08 form. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of the PTO/SB/08 form is attached as "Exhibit A."

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

PCT/US01/50355 is the international application which corresponds to the subject application. An International Search Report was issued on December 17, 2002 in connection with this PCT application, a copy of which is attached as "Exhibit B." Each of the references cited in the search report is listed on the attached PTO/SB/08 form.

Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

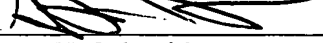
While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

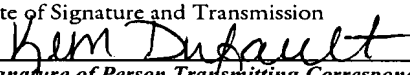
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Applicant believes that no fees are due at this point, but the Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. PBLI-P01-010.

Dated: January 16, 2003

Respectfully submitted,

By   
Spencer H. Schneider  
Registration No.: 45,923  
ROPES & GRAY  
885 Third Avenue, Suite 3200  
New York, NY 10022-4834  
(212) 497-3615  
(212) 497-3650 (fax)  
Attorneys for Applicant

<b><u>CERTIFICATE OF FIRST CLASS MAILING</u></b>
I hereby certify that this correspondence is being transmitted by Certificate of First Class Mailing to Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231, on the date indicated below:
<u>January 16, 2003</u>
Date of Signature and Transmission

Signature of Person Transmitting Correspondence
Kim Dufault
Typed or Printed Name of Person transmitting Correspondence